



Washington State  
Department of  
Health

**Washington State Mental Health Counselors, Marriage and Family  
Therapists, and  
Social Workers  
Advisory Committee  
Meeting Minutes**

**November 3, 2006  
Department of Health  
Creekside Three at Center Point  
Second Floor, Room 2  
20435 72<sup>nd</sup> Ave South  
Kent, WA 98032**

**Committee Members Present**

Susan Bogni, Public Member, Chair; Philip Brown, LICSW, LMFT, Ph.D., Carl Greenberg, LMFT, Alison Hadley, LICSW

**Committee Members Absent**

Lisa Erickson, LMHC, Vice-Chair, Judy Roberts, LMHC, Hoyce Gaidies, Public Member, Joseph Price, LMFT, LMHC, Ph.D.

**Staff Present**

Tammy Kelley, Disciplinary Manager  
Bob Nicoloff, Executive Director  
Betty Moe, Program Manager

**AAG PRESENT:**

Elizabeth Baker, Assistant Attorney General

**AGENDA TOPICS**

**OPEN SESSION**

**1. CALL TO ORDER –SUSAN BOGNI, PUBLIC MEMBER, CHAIR**

- 1.1 The meeting was called to order by Susan Bogni, Public Member, Chair, at 9:02 am.
- 1.2 A quorum was not present at this meeting; no final decision will be made.

**2. LICENSED COUNSELOR BROCHURE**

Committee members reviewed the current copy of the brochure. Alison Hadley believes the brochure could be improved by adding more information about sexual misconduct and examples of unprofessional conduct.

Alison Hadley and Carl Greenberg agreed to revise the brochure, and will present an updated version at the next meeting. Committee members are encouraged to send comments through staff support person, Betty Moe.

**3. DISCUSSION REGARDING SEXUAL MISCONDUCT RULES-Subcommittee members- Lisa Erickson, Judy Roberts and Susan Bogni**

Susan Bogni presented information on behalf of the sub-committee. The sub-committee is reviewing the amount of time which must exist prior to a counselor engaging in a relationship with a former patient.

Laura W. Groshong expressed that the Washington State Clinical Society ethics language states a relationship should never exist between a patient and a client. The rules should not differ from

The sub-committee will continue to review and report at the next meeting.

**4. PRESENTATION OF SEXUAL MISCONDUCT RULES PRESS RELEASES – Robert Nicoloff, Executive Director**

Mr. Nicoloff discussed the new sexual misconduct rules designed to improve patient safety. New rules that clearly define sexual misconduct by health care providers will improve patient safety in our state. The rule for 27 different secretary professions went into effect on September 30, 2006. The rules were designed by the Washington State Department of Health to better educate health care providers about what is considered sexual misconduct.

Mr. Nicoloff shared the Department of Health press release regarding the new rules and an article that was published in "The Seattle Times," by Michael Berens regarding the new rules.

**5. PROGRAM REPORTS-Program Staff**

**5.1 Program Manager Report**

The Proposed Meeting date and location for May was discussed. The meeting will be held at the Center Pointe facility in Kent on May 11, 2007.

**5.2 Executive Director Report**

Mr. Nicoloff will discuss issues later on in the agenda as part of his report.

**5.3 Licensing Report**

The committee members reviewed the licensing statistics provided by Betty Moe, Program Manager, the statistics presented were a reflection of current licensees as of October 1, 2006

**Licensed Marriage and Family Therapists**

Statistics are as follows:

Total active licenses	969
Total pending applications	61
Total Expired	173

**Licensed Mental Health Counselors**

Statistics are as follows:

Total active licenses	4,264
Total pending applications	205
Total Expired	663

**Licensed Social Workers**

Statistics are as follows:

Total active licenses	2,974
Total pending applications	231
Total Expired	477

#### 5.4 Disciplinary Report Disciplinary Report

The committee members reviewed the disciplinary statistics provided by Tammy Kelley, Disciplinary Manager, the statistics presented were a reflection of case load as of October 5, 2006:

##### Licensed Marriage and Family Therapists

###### Statistics are as follows:

Investigation:	4
SOA to SOC	1
Produce Scheduling Order	1
Adjudication Process	4
<b>TOTAL NUMBER OF OPEN CASES:</b>	<b>10</b>

##### Licensed Mental Health Counselors

###### Statistics are as follows:

Investigation:	29
Case Disposition:	13
STID – Signed/Present:	1
SOC-Receiving Response	2
Produce Scheduling Order	1
Adjudication Process	3
<b>TOTAL NUMBER OF OPEN CASES:</b>	<b>48</b>

##### Licensed Social Workers

Investigation:	11
Case Disposition	9
SOA-Receive Response	1
STID-Signed/Present	1
SOC-Receive Response	2
Adjudication Process	3
Prepare Default Order	2
<b>TOTAL NUMBER OF OPEN CASES:</b>	<b>29</b>

**TOTAL NUMBER OF ALL OPEN CASES 87**

#### 5.5 Committee Appointments

There is currently an opening for one public member. Alison Hadley's and Susan Bogni's terms are both set to expire next year. Betty Moe, Program will begin recruitment for two public members and a Licensed Advanced Social Worker.

#### 5.6 Correspondence- Committee Members were provided the following documents for review:

- 2006 ASWB Bylaws Amendment Proposals
- The NCC-The National Certified Counselor Volume 22, Number 3, Fall 2006
- The CACREP Connection-Fall 2006
- ASSWB Board Member Introductions & Candidates for November Elections

#### 6. GOVERNMENT ACCOUNTABILITY AND PERFORMANCE (GMAP) VIDEO- Robert Nicoloff, Section Seven Executive Director

Bob Nicoloff shared a GMAP video with committee members. The video format was in a question and answer format presenting Mary Selecky, Secretary to the Department, Laurie Jinkins, Assistant Secretary for HSQA, Governor Gregoire, and staff.

Topics from the presentation included:

- Accomplishments from the previous GMAP presentation
- Consistency and appropriateness of sanctions 100% of the time
- Length of time for process in each step of sanctions
- Number of open cases
- Time lapse between complaint and resolution
- Number of doctors vs. number of complaints
- Summary of action plan

Governor Gregoire was clear in stating that her objective of GMAP is to help the Department attain goals and she is willing to assist. The Governor would like to see results by end of June 2007.

#### **7. DISCUSSION OF BOARD, COMMISSION, COMMITTEE CONFERENCE SEPTEMBER 29, 2006**

Mr. Nicoloff discussed the BCC conference that was held in Renton, WA on September 28<sup>th</sup> and 29<sup>th</sup>. There were approximately 86 attendees at the conference representing about 20 Boards, Commissions, or Committees. Mr. Nicoloff expressed the importance of a member of the committee attending the conference. The issues discussed at the conference are listed below.

- Media attention and the Governor's expectations continue to shine the spotlight on health professions regulation
- Government Accountability and Performance(GMAP) video was shared
- The Health Systems Quality Assurance Perspective- a recap of the latest happenings in the division
- Board, Commission, Committee Survey Results
- Ethics in Government
- Jean Sullivan, Director of the Washington Health Professional Services Program and Dr. Mick Oreskovich of the Washington Physicians Health Program will presented the latest information on chemical impairment.
- Legible Prescriptions
- Washington State Public Health Officer, Dr. Maxine Hayes "Bird Flu-The Coming Pandemic?"

#### **8. USE OF UNETHICAL OR UNPROFESSIONAL ACRONYMS- Robert Nicoloff, Executive Director and Floyd Else, MA, LMHC, NCC, MAC**

Floyd Else led a discussion about the practice of using additional initials that are not commonly accepted in the profession.

Mr. Else feels that the practice of using additional initials that are not commonly accepted in the profession may lead the public to believe the person possesses some special licensure or certification. Mr. Else expressed that he feels that this is a violation of Washington state law {RCW 18.130.180} which holds that any license holder or applicant who advertises in a way which if false, fraudulent or misleading is demonstrating unprofessional conduct.

Elizabeth Baker stated that there are many rules dealing with what a person can call themselves. Ms. Baker indicated that she had some colleagues dealing with the same issue for another profession. Ms. Baker will report about the colleagues findings on the issue at the next scheduled meeting.

## **9. APPROVING APPLICANTS TO FOR LICENSURE– Betty Moe, Program Manager**

Ms. Moe provided a brief overview of the application process as described below:

- Applications come in through our revenue section and the fees are processed.
- The applications then go to our Customer Service Center to be sorted.
- From there they go to the Investigative Services Unit to undergo a Washington State criminal background check and a national data base check.
- Applications then come to section seven for further processing.
- They are date stamped and a file is set up in accordance with section policy.
- Applications that have a yes answer to a personal data question or have a criminal background check are separated for review by a program manager.
- Program staff reviews the application and enters the applicant on the licensing system. A deficiency letter is sent if necessary.
- Once all documents are received the applicant will be approved to sit for the exam, if necessary.
- Once the application is complete. Program Manager must review the application and sign off for approval.

One program representative is responsible for reviewing the applications for Licensed Mental Health Counselors, Licensed Marriage and Family Therapists, Licensed Advanced Social Workers and Licensed Independent Clinical Social Workers. Most common problems that arise with the credentialing process are listed below:

- Individuals may have been credentialed in another state for several years, but do not meet our requirements.
- Education that was not received in the field that the applicant is applying for must be reviewed course by course. This is very time consuming for both staff and the applicant. Courses that are not clearly identified must be accompanied by a course syllabus. Some individuals attended school several years ago, and this is a very difficult task.

## **10. ASSISTANT ATTORNEY GENERAL REPORT-Elizabeth Baker, AAG**

Ms. Baker was asked to research RCW 18.225.090. The main issue deals with the number of years a Licensed Independent Clinical Social Worker or Licensed Marriage and Family Therapist must be credentialed prior to being able to provide supervision.

In 2003, RCW 18.225.090(1)(a)(ii)(C) did not require those people supervising independent clinical social workers to have been social workers themselves for any particular length of time. In 2003, the legislature amended that statute to require supervisors to have five years of licensure or certification before they can supervise licensed independent clinical social workers. More research will need to be done to determine why this change was made.

Three counselors from Downtown Emergency Service Center were in attendance at the meeting. They were very concerned about the number of years a person is required to hold a credential prior to providing supervision. The counselors shared their concerns about the ramifications of this rule and expressed the need for more approved supervisors. They shared issues regarding the shortage of counselors currently in the system, and their concerns that the issue is going to get even worse.

## **11. FUTURE AGENDA ITEMS-Susan Bogni, Public Member Chair**

- Clarification of Supervision rules.
- Subcommittee discussion regarding Sexual Misconduct Rules.
- Information pertaining to the credibility of the Social Work Registry relating to certified application documents.
- Budget Issue and projections.
- Licensure Brochure presented by Alison Hadley and Carl Greenberg.
- Presentation by Judy Roberts on closed disciplinary cases.
- Disciplinary Report including statistics on Registered Counselors.
- Report from Elizabeth Baker on unethical/unprofessional acronyms.
- Discuss regarding the possibility of adding a LMFT associate credential.

## **12. Adjournment – The Committee meeting adjourned at 2:30 pm**

Submitted by:

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Betty Moe, Program Manager  
Washington State Mental Health Counselors, Marriage and Family Therapists  
and Social Worker Advisory Committee

Approved by:

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Susan Bogni, Public Member, Chair  
Washington State Mental Health Counselors, Marriage and Family Therapists  
and Social Worker Advisory Committee